

But if one lost, so you always taught  
me,  
Fell short of reaching one's dear  
heart's desire,  
One must bear failure with the head  
held high;  
Cling to the dream, fight harder  
under fire.  
Yours is the mark by which I meas-  
ure men,  
But doubt that I shall see your like  
again.

—Evelyn Miller Pierce.

#### Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, Sept. 13, 1934.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No.  
13 carefully examined and compared  
and find same correctly engrossed.

REGAN, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, Sept. 12, 1934.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Civil  
Jurisprudence, to whom was referred

S. B. No. 13, A bill to be entitled  
"An Act granting to G. B. White and  
B. White and to each of them, and  
to the heirs and legal representatives  
of each of them, the right and au-  
thority to sue the State of Texas for  
a settlement of all rights, claims and  
demands of the said G. B. White and  
B. White, and each of them, arising  
out of or incident to the execution  
of and the performance under that  
certain contract made between G. B.  
White and B. White under the name  
of White Brothers and the State of  
Texas by its State Highway Engineer  
and State Highway Commission of  
date January 7, 1931, under which  
contract the said White Brothers  
agreed to do the grading and to con-  
struct the small drainage structures  
in Coleman and Runnels Counties,  
etc."

Have had the same under con-  
sideration, and I am instructed to  
report it back to the Senate with the  
recommendation that it do pass and  
be not printed.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, Sept. 12, 1934.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Fi-  
nance, to whom was referred

S. B. No. 12, A bill to be entitled  
"An Act making certain emergency  
appropriations out of the general  
revenue of the State of Texas for  
certain State eleemosynary institu-  
tions for providing enlarged facili-  
ties for the care of additional pa-  
tients and inmates in said institu-  
tions, and declaring an emergency."

Have had the same under con-  
sideration, and I am instructed to  
report it back to the Senate with the  
recommendation that it do pass, and  
be not printed.

HOLBROOK, Chairman.

#### SIXTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
September 14, 1934.

The Senate met at 10 o'clock a. m.,  
pursuant to adjournment, and was  
called to order by Lieutenant Gov-  
ernor Edgar E. Witt.

The roll disclosed a quorum, the  
following Senators being present:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Fellbaum. Greer.

#### Senator Excused.

Senator Greer was excused on ac-  
count of important business.

Prayer by the Chaplain.

Pending the reading of the Jour-  
nal of yesterday, the same was dis-  
pensd with on motion of Senator  
Woodward.

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.****Senate Bill No. 5.**

The Chair announced the hour had arrived for the special order, same being S. B. No. 5 and H. B. No. 1.

H. B. No. 1 was read the second time. Senator Beck moved to strike out all below the enacting clause and insert in lieu thereof S. B. No. 5.

The motion prevailed.

Senator Beck moved to strike out all above the enacting clause of H. B. No. 1, and insert in lieu thereof the following:

By Senators Beck and Regan:

S. B. No. 5, A bill to be entitled "An Act providing for the issuance of State Relief Bonds to be designated as Texas Relief Bonds, Third Series, in the sum of Nine Million Five Hundred Thousand Dollars (\$9,500,000), under Section 51-a, Article 3 of the Constitution of the State of Texas; and declaring an emergency."

The motion prevailed.

Pending.

**Senate Resolution No. 9.**

Senators Hopkins and Woodul sent up the following resolution:

Whereas, Honorable H. M. Ainsworth, of Luling, has recently been elevated to the Commandership of the American Legion, Department of Texas, and as such Commander will during the next twelve months occupy a position of great weight and influence in shaping and moulding the public mind and sentiment on the great issues of the day confronting our people; and,

Whereas, Commander Ainsworth is a man of outstanding ability, ranking high in the political and business circles of this State; and,

Whereas, Commander Ainsworth is now in the Senate Chamber; Now, therefore be it

Resolved by the Senate of Texas, that the Honorable H. M. Ainsworth, Commander of the American Legion, Department of Texas, be and he is hereby extended the privileges of the floor and invited to address the Senate.

Read and unanimously adopted.

The Lieutenant Governor, Edgar

E. Witt, appointed Senator Hopkins and Senator Woodul to escort the visitor to the platform. Senator Hopkins introduced Hon. H. M. Ainsworth who addressed the Senate briefly.

**Message from the House.**

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives, Austin, Texas, Sept. 14, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution by a vote of 87 yeas and 35 nays:

H. C. R. No. 15, Requesting the Texas Prison Board to rescind actions with reference to the building of a farm dormitory building and directing the State Board of Control not to advertise or to enter into contracts for such building.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

**Resolution Referred.**

H. C. R. No. 15 was read and referred to the Committee on Penitentiaries.

**Recess.**

On motion of Senator Holbrook the Senate recessed until 2:30 o'clock p. m.

**After Recess.**

The Senate met at 2:30 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

**Senate Bill No. 5.**

Pending business was the reading of S. B. No. 5.

Senator Beck sent up the following corrective amendments to S. B. No. 5.

**Amendment No. 1.**

Amend Section 6, line 1, page 4, to provide as follows:

To strike out the "first day of October 1935" and insert in lieu thereof "on the 26th day of August, 1935."

Read and adopted.

**Amendment No. 2.**

Amend Section 10, lines 19, 20, 21, on page 5, by providing after the months of October, November and December the figures 1934 and after January, February, March, April and May add the figures 1935.

Provided further that any and all such sums of money not expended during the month for which allocated, said funds saved may be expended by the Texas Relief Commission during any succeeding month or months.

Read and adopted.

**Amendment No. 3.**

Amend Section 14, line 59, by striking out the words "no persons" and substituting therefor the words, "no director, assistant director, chief auditor or executive secretary."

Read and adopted.

**Amendment No. 4.**

Amend Section 19, by striking out in line 38, after provided 39, 40, 41, 42 and 43.

**BECK.**

Read and adopted.

Senator Woodruff sent up the following amendment:

Amend S. B. No. 5, by striking out Section No. 14 and substituting in lieu thereof the following:

"Section 14. The Texas Relief Commission shall be composed of three members, and the members of the State Board of Control, and their successors in office, are hereby designated members of said Texas Relief Commission. The Acts of the First and Second Called Sessions, Forty-third Legislature, in so far as same applies to the creation of the Texas Relief Commission are hereby expressly repealed. The Texas Relief Commission as herein constituted shall employ a State Administrator, who shall employ such assistants, including county administrators and other employees, as said Texas Relief Commission shall direct, and the compensation for all such persons shall be fixed by aforesaid administrator by and with the consent of the Relief Commission.

The members of the Texas Relief Commission shall receive as compensation the sum of \$1200.00 per annum, payable in twelve equal month-

ly installments, out the funds herein provided for, and such compensation shall be in addition to that otherwise provided for as members of the Board of Control.

**WOODRUFF.**

Read.

Senator Poage asked permission of the Senate to send up an amendment to Senator Woodruff's amendment.

Permission was granted and Senator Poage sent up the following amendment.

Amend Woodruff amendment by striking out all reference to compensation of members of the Commission and/or Board of Control.

**POAGE.**

Read and lost by the following vote:

**Yeas—10.**

DeBerry.	Oneal.
Hornsby.	Parr.
Moore.	Poage.
Murphy.	Rawlings.
Neal.	Sanderford.

**Nays—11.**

Beck.	Pace.
Blackert.	Purl.
Collie.	Redditt.
Cousins.	Regan.
Holbrook.	Woodruff.
Martin.	

**Absent.**

Duggan.	Stone.
Hopkins.	Woodul.
Patton.	Woodward.
Small.	

**Absent—Excused.**

Fellbaum.	Greer.
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Senator Woodruff's amendment to S. B. No. 5, was adopted by the following vote:

**Yeas—13.**

Blackert.	Poage.
Collie.	Rawlings.
Duggan.	Redditt.
Holbrook.	Regan.
Murphy.	Stone.
Oneal.	Woodruff.
Pace.	

**Nays—10.**

Beck.	DeBerry.
Cousins.	Hornsby.

Martin.	Parr.
Moore.	Purl.
Neal.	Sanderford.

**Absent.**

Hopkins.	Woodul.
Patton.	Woodward.
Small.	

**Absent—Excused.**

Fellbaum.	Greer.
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Senator Hornsby sent up the following amendment to S. B. No. 5:

Amend the pending bill by inserting therein the following:

Provided, however, that any person participating in a "strike" or aiding, abetting or encouraging other persons to engage in a strike, or preventing or attempting to prevent other persons from working in Texas shall not be permitted to receive any kind of relief work, aid or compensation under the Texas Relief Laws.

**HORNSBY.**

Read.

Second reading called for.

Third reading was called for.

Senator Purl moved to table the amendment by Senator Hornsby. The motion to table prevailed by the following vote:

**Yeas—16.**

Beck.	Pace.
DeBerry.	Poage.
Duggan.	Purl.
Holbrook.	Rawlings.
Martin.	Redditt.
Moore.	Sanderford.
Murphy.	Woodruff.
Oneal.	

**Nays—6.**

Collie.	Parr.
Cousins.	Regan.
Hornsby.	Stone.

**Present—Not Voting.**

Neal.

**Absent.**

Blackert.	Small.
Hopkins.	Woodul.
Patton.	Woodward.

**Absent—Excused.**

Fellbaum.	Greer.
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Senator Hornsby sent up the following amendment:

Amend the pending bill by inserting in the proper place therein the following:

The commissioners courts of the several counties in Texas shall appoint an advisory board in each county consisting of three members, whose duty shall be to pass on eligibility of all applicants for relief and to submit to the county relief board only the names of the worthy and deserving applicants who are eligible and qualified under the relief laws of Texas.

**HORNSBY.**

Senator Hornsby asked unanimous consent to withdraw his amendment. Consent was given.

Senator Oneal sent up the following amendment:

Amend Section 13 of S. B. No. 5, by adding at the end of said section the following:

"The State Auditor's Department shall audit the expenditures of the funds provided herein and furnish each member of the Legislature and the press a quarterly statement of such expenditures."

Read and adopted by viva voce vote.

Senator Neal sent up the following amendment:

Amend S. B. No. 5, by adding the following to committee amendment No. 8:

"In projects in which the majority of persons employed are women, the provision requiring 80% of the funds to be applied to labor, may be altered according to the judgment of the Texas Relief Commission."

**NEAL.**

Read and adopted by viva voce vote.

Senator Poage sent up the following amendment:

Amend H. B. No. 1, as amended by adding at the end of Section 21, page 8, line 9 the following:

No person or family shall receive any relief, either direct or work relief, unless and until such person or the head of such family shall have subscribed such statement under oath duly administered by some person authorized to administer oaths under the laws of this State or by any officer and/or case worker for the Texas Relief Commission or any County Relief Board, and all such officers and case workers are hereby authorized to administer such oaths

and are required and it is made their duty to administer such oaths free of charge, on such forms as may be prescribed by the Texas Relief Commission setting forth the conditions and circumstances which entitle such person and/or family to such direct relief or work relief, and any person knowingly making any false statement knowing at the time of making same that said statement is false under oath as above provided shall be deemed guilty of false swearing and upon conviction shall be punished by confinement in the penitentiary not less than two nor more than five years."

POAGE,  
RAWLINGS.

Read and adopted by viva voce vote.

Senator Woodruff sent up the following amendment:

Amend S. B. No. 5, page 2, by striking out all of line 13 and line 14 down to and including the word "Legislature," and inserting in lieu thereof the following:

"The Texas Relief Commission as hereinafter created,"

WOODRUFF.

Read and adopted by viva voce vote.

Senator Purl sent up the following amendment:

Amend H. B. No. 1, as amended by adding a new section to be known as Section 20b and to read as follows:

The Third Court of Civil Appeals is hereby directed to vacate the room now occupied by said court in the capital building at Austin, and the Texas Relief Commission is hereby directed to remove all of the offices of said commission into the capitol building proper.

PURL.

Read and adopted by viva voce vote.

Point of Order.

Senator Hornsby raised the point of order that the amendment was not germane to the bill.

The Lieutenant Governor overruled the point of order.

Motion to Table.

Senator Hornsby made a motion to table the amendment by Senator Purl.

Senator Hornsby withdrew his motion to table by unanimous consent.

Vote Recorded.

Senator Cousins asked permission to vote "no" on Woodruff amendment.

Senator DeBerry sent up the following amendment:

Amend S. B. No. 5, Section 16, line 64, by striking out the words "five per cent (5%)" and inserting in lieu thereof "two and one-half per cent (2½ %)."

DeBERRY.

Read and the amendment lost by the following vote:

Yeas—10.

Cousins.	Oneal.
DeBerry.	Pace.
Holbrook.	Parr.
Hornsby.	Poage.
Murphy.	Rawlings.

Nays—12.

Beck.	Purl.
Collie.	Redditt.
Duggan.	Regan.
Martin.	Sanderford.
Moore.	Stone.
Neal.	Woodruff.

Absent.

Blackert.	Small.
Hopkins.	Woodul.
Patton.	Woodward.

Absent—Excused.

Fellbaum.	Greer.
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Senator Poage sent up the following amendment:

Amend H. B. No. 1, as amended, page 6, line 54, by adding at the end of Sub-Section 5, the following:

"And none of the funds derived by the sale of the bonds above mentioned shall ever be used to provide any relief, either direct or work relief to any person who has within the ten days next preceding refused to accept private employment in the county of his or her residence, provided such employment be at a wage of not less than one dollar per day and not less than the prevailing wage for such work in such county and at such time, and provided further that such employment be of a character to which the applicant for relief

is reasonably suited and unless such applicant shall not give a good and sufficient reason for refusing to accept such employment."

POAGE.

Read and adopted by viva voce vote.

Senator Moore sent up the following amendment:

Amend S. B. No. 5, by striking out the words and figures "nine and one-half million (\$9,500,000.00) dollars" wherever they appear in the body of the bill and insert in lieu thereof the words and figures "three million (\$3,000,000.00) dollars" and amend the caption to conform.

MOORE.

Read and pending.

**Recess.**

On motion of Senator Beck the Senate at 5:15 o'clock recessed until 10:00 o'clock a. m., Saturday.

## APPENDIX.

### Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, Sept. 13, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 12, carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

### Committee Reports.

Committee Room,  
Austin, Texas, Sept. 12, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, the Committee of the Whole to whom was referred

H. B. No. 1, A bill to be entitled "An Act providing for the issuance of State Relief Bonds to be designated as Texas Relief Bonds, providing for the sources of revenue from which said bonds shall be paid and their denominations, date, maturities, interest rate, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MURPHY, Chairman

Committee Room,  
Austin, Texas, Sept. 13, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 9, A bill to be entitled "An Act to aid the Brazos River Conservation and Reclamation District in preparing the necessary plans, specifications and data and in making the necessary surveys, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

REGAN, Vice-Chairman.

Committee Room,  
Austin, Texas, Sept. 13, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 3, A bill to be entitled "An Act creating Colorado River authority, a governmental agency, body politic and corporate, as a water control and conservation district under Section 59 of Article 16 of the constitution, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute do pass in lieu thereof, and be printed.

It is also recommended by the committee that the attached report by the Honorable Henry T. Hunt, Chief Counsel for the Federal Emergency Administration of Public Works of Washington, D. C., be also printed and attached to the printed bill.

REGAN, Vice-Chairman.

Committee Room,  
Austin, Texas, Sept. 13, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 11, A bill to be entitled "An Act amending Title 42, Chapter 13, Part 2, R. C. S. 1925, with reference to receivers and receiverships by adding thereto the following article, to be known as Article 2320-a,

authorizing proceedings by persons defined herein in the relief of debtors and providing for reorganization and readjustment of their indebtedness and affairs, providing the method, means and manner thereof and for proceedings in furtherance and aid thereof and for the adjudication of the rights of parties affected; prescribing jurisdiction and the power and authority of judges and courts in the premises to protect the assets of such debtors and to safeguard and insure the continuation of the business or such debtors to the end that they shall continue to provide employment for labor and to encourage the orderly and economical administration of the affairs of such debtors, and providing generally for the relief of distressed debtors, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HOPKINS, Chairman.

Committee Room,  
Austin, Texas, Sept. 13, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. C. R. No. 10, Providing for the investigation of the Texas Relief Commission and County Relief Boards, and any and all persons connected with the distribution of relief funds authorized under provision of all Relief Acts enacted by the Legislature of Texas heretofore enacted and to be enacted by this Session of the Legislature, etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments and be printed in the Journal.

HOPKINS, Chairman.

By Senators San- S. C. R. No. 10.  
derford, Poage,  
Martin, Redditt,  
Hopkins, Beck,  
Murphy, Neal,  
Rawlings, Wood-  
ruff and Regan.

Providing for the investigation of the Texas Relief Commission and County Relief Boards, and any and

all persons connected with the distribution of relief funds authorized under provision of all Relief Acts enacted by the Legislature of Texas heretofore enacted and to be enacted by this Session of the Legislature.

Whereas, Section 51A, Article 3, Constitution of Texas, was approved by the voters of Texas August 26, 1933, authorizing the Legislature of Texas to issue and sell bonds to the State of Texas, not to exceed the sum of \$20,000,000.00, and that the proceeds from the sale of said bonds were to be used to furnish relief and work relief to the needy and distressed people, and to relieve and in relieving the hardships resulting from unemployment, and to be fairly distributed over the State and upon such terms and conditions as may be provided by law, and,

Whereas, S. B. No. 46, of the First Called Session of the Forty-third Legislature, approved October 16, 1933, authorized the issuance and sale of \$5,500,000.00 and the creation of the Texas Relief Commission, and the creation of county relief boards, and providing for the general administration of the distribution of the relief funds obtained from the sale of said \$4,500,000.00 of bonds, and,

Whereas, H. B. No. 13, Acts of the Second Called Session of the Forty-third Legislature, approved February 28, 1934, provided for the cancellization of the unsold Texas Relief Bonds, and the issuance of State Relief Bonds, Second Series in the sum of \$7,750,000.00, and,

Whereas, It is contemplated at the Third Called Session of the Forty-third Legislature, now in session, to issue a considerable portion of the remaining unissued \$20,000,000.00 of bonds, as provided in Section 53A of the Constitution of Texas, and,

Whereas, It has been brought to the attention of the Legislature of Texas that there has been various complaints arising from many counties throughout the various portions of Texas as to the distribution of said relief funds, and,

Whereas, It is imperative that the Forty-fourth Legislature of Texas shall have sufficient evidence available in order to more correctly understand the handling of said relief bond funds, and in order to be better enabled to more adequately distribute said funds, therefore be it

Resolved by the Senate of Texas the House of Representatives concurring

Section 1. That the Speaker of the House of Representatives is hereby authorized to appoint five members of the House of Representatives and the President of the Senate is hereby authorized to appoint four members of the Senate to constitute a joint legislative committee to be known as The Legislative Relief Bond Funds Investigating Committee, to investigate all matters pertaining to the activities of the Relief Commission of Texas, or any other agency charged with the administration of relief funds, either as a State Body or a local body, and the county relief boards, and of each and any and all of the officers and employees of the Texas Relief Commission, or any other agency and any and all persons having any connection therewith to determine if any and all of the aforesaid persons or agencies have performed their duty and distributed the relief funds of Texas in accordance with the constitution and laws of this State.

Sec. 2. That said committee shall have the power to formulate its own rules of procedure and evidence, and to provide for its own hours of meeting and adjourning; said committee shall sit in the Capitol at Austin, Texas, and/or in any county, city or town in the State, and the sessions of said committee shall be open to the public or executive as the committee may decide by a majority vote. The chairman of said committee shall be elected by a majority vote of the members of said committee. The committee shall appoint its own secretary employees and sergeant-at-arms. The committee shall have the power and authority to employ and compensate all necessary accountants, expert investigators, stenographers, clerks and all other necessary employees; and it shall be the duty of the committee to make and keep a record of its proceedings.

Sec. 3. The committee shall have the power to issue process for witness to any place in the State, and to compel their attendance and to produce all books and records, and upon disobedience of any subpoena the committee shall have the power to issue attachments which may be addressed to and served by either the sergeant-at-arms, appointed by said

committee, or any Texas Ranger, or sheriff, or any constable of this State. Said committee shall have the power to inspect and make copies of any and all books, records or files of the Texas Relief Commission or any other agency charged with the administration of relief funds either as a State body or a local body or any county relief board or representative thereof, or any employee or appointee of said Texas Relief Commission or any county relief board. The committee shall have the power to administer oaths and affirmations and fix the bonds of attached witnesses; and the commission shall further have all powers necessary to accomplish the purposes for which it is appointed, including the power to punish for contempt.

Sec. 4. The witnesses attending said committee under process shall be allowed the same per diem as is allowed witnesses in the trial of criminal court cases.

Sec. 5. The said committee may call upon the Attorney General's Department, The Highway Department, The Adjutant General's Department, The State Auditor's Department, The State Treasurer's Department, The State Comptroller's Department and any and all departments of this State, to render opinions, to give counsel and assistance and to furnish auditors and accountants to said committee upon request of the chairman of said committee.

Sec. 6. The said committee shall begin and complete its investigation at the earliest practicable moment, and shall submit a report in writing to the Forty-fourth Legislature. The compensation and expense incident to such investigation shall be paid out of the appropriation for mileage and per diem and contingent expense of the Regular Session of the Forty-third Legislature upon sworn account of the persons entitled to such pay when approved by the chairman of said committee, and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said Regular Session of the Forty-third Legislature to meet the payments of such per diem and expenses of the members of said committee, witness, fees and other expense incident to said investigation.

Sec. 7. Said committee shall include in its report its recommendation of any legislation that should



be enacted or any other action that should be taken.

Sec. 8. It shall be the duty of said committee to recommend the discharge of any person or persons to the Director of the Texas Relief Commission or the director of any county relief board and the committee is further authorized in the event it finds that any of the laws of the State of Texas have been violated, for such violation criminal proceedings may be instituted, the committee is authorized and empowered to bring such charges to the proper officials of the counties having jurisdiction.

#### Committee Amendment No. 1.

Amend S. C. R. No. 10, by adding after the word "of" in line 5, Section 6, the words "funds accruing from sale of Texas Relief Bonds or of."

Adopted.

#### Committee Amendment No. 2.

Amend S. C. R. No. 10, by adding after the word "Commission" in line 3, Section 8, the following: "or director of any other agency charged with the administration of relief funds, either as a State body or local body."

Adopted.

#### Committee Amendment No. 3.

Amend S. C. R. No. 10, Section 6, line 3, by striking out the period and adding after the word "Legislature" the following: "immediately upon the convening and organization of said Legislature."

Adopted.

#### Committee Amendment No. 4.

Amend S. C. R. No. 10, Section 1, by striking out the word "five," in line 2, and inserting in lieu thereof the word "four," and by striking out the word "four" in line 4 and inserting in lieu thereof the word "three."

Adopted.

#### Committee Amendment No. 5.

Amend S. C. R. No. 10, Section 6, by striking out of the second sentence of said section immediately after the first word "the" the words "compensation and," and by striking out

of the last sentence of the section the words "per diem and."

Adopted.

#### Committee Amendment No. 6.

Amend S. C. R. No. 10, Section 6, by adding at the end of said section the following:

"Providing, however, that each member of the committee and each employee shall file with the chairman of the committee at the end of each week a sworn itemized statement of his expenses, and that said expense accounts shall be subject to approval and investigation of the committee."

Adopted.

### SIXTEENTH DAY—Continued.

#### After Recess.

The Senate met at 10:00 o'clock a. m., Saturday, pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

#### Senators Excused.

Senators Purl and Woodward were excused on account of important business, on motion of Senator Collie.

#### House Bill No. 1.

Pending business was Senator Moore's amendment to H. B. No. 1, as amended.

Senator Beck moved to table the amendment by Senator Moore.

The motion to table was lost by the following vote:

#### Yeas—10.

Beck.	Rawlings.
Collie.	Regan.
Martin.	Sanderford.
Neal.	Stone.
Parr.	Woodruff.

#### Nays—13.

Blackert.	Oneal.
DeBerry.	Pace.
Duggan.	Poage.
Holbrook.	Redditt.
Hornsby.	Small.
Moore.	Woodul.
Murphy.	

#### Absent.

Cousins.	Purl.
Hopkins.	Woodward.
Patton.	

## Absent—Excused.

Fellbaum.

Greer.

Senator Moore's amendment was adopted by the following vote:

## Yeas—13.

Blackert.

Oneal.

DeBerry.

Pace.

Duggan.

Poage.

Holbrook.

Redditt.

Hornsby.

Small.

Moore.

Woodul.

Murphy.

## Nays—11.

Beck.

Rawlings.

Collie.

Regan.

Cousins.

Sanderford.

Martin.

Stone.

Neal.

Woodruff.

Parr.

## Absent.

Hopkins.

Woodward.

Patton.

## Absent—Excused.

Fellbaum.

Purl.

Greer.

Senator Moore sent up the following amendment:

Amend S. B. No. 5 by striking out Section 10 and substituting in lieu thereof the following:

Sec. 10. Provided that the Texas Bond Commission and the Texas Relief Commission is prohibited from selling and/or expending more than \$1,000,000.00 per month out of this fund during the month of November, 1934, and \$1,500,000.00 per month during the months of December, 1934, and January, 1935.

Provided further that any and all such sums of money not expended during the month for which allocated, such funds saved may be expended by the Texas Relief Commission during any succeeding month or months.

MOORE.

Read and adopted.

Senator Martin sent up the following amendment:

Amend S. B. No. 5 by adding another subsection under Section 15, same to be Subsection No. 6, as follows:

"The County Relief Board, or the county administrator, shall prepare, or have prepared, a complete alphabetical list of all person, or persons, receiving aid from the County Relief Commission and shall file the same with the county clerk of the county, and the same shall be subject to inspection by any citizen of the county at any and all times."

MARTIN.

Read and adopted by viva voce vote.

Senator Martin sent up the following amendment:

Amend S. B. No. 5, page 6, by adding a new section to be known as Section 15B, beginning after the word "board," in line 62, as follows:

The County Relief Board, acting with the commissioners' court of the county, is authorized to formulate plans and specifications for the construction of interior low water dams, provided the construction of same will be feasible and practicable from the standpoint of utilizing labor by unemployed persons in said county. The application shall be prepared and filed with the commissioners' court and same shall contain such data as is necessary to show the details of the project undertaken and shall be accompanied by brief plans and specifications showing the way and manner in which the work is to be performed, and if the same shows to the satisfaction of the said County Relief Board and the commissioners' court that the projects present a practical opportunity to provide work for unemployed people of the county, and that the projects can be constructed with local unemployed labor eligible for employment on relief projects and that the projects will not require the expenditure of an inequitable portion of the county funds when compared with the needs of the county and the amount of money available for relief work and relief purposes, and when the same has been approved by the County Relief Board and the commissioners' court of the county 25% of the relief bond moneys allotted to the said county shall be used for the construction of the said interior dams; and,

Provided further, that at least 90% of the amount so allotted for the construction of the said dams shall be used for labor and the remaining 10% may be used, if neces-

sary, for the purchase of material, tools and supplies to carry out the project.

**MARTIN.**

Read and adopted by viva voce vote.

Senator Holbrook sent up the following amendment:

Amend H. B. No. 1 by adding a new section after Section 17, page 7, to be numbered Sec. 17A, to read as follows:

Sec. 17A. All local administration costs in carrying out this Act shall be borne by the counties and municipalities where funds are distributed and in event they fail or refuse to bear this administrative cost no funds arising out of this Act shall be allotted to them.

**HOLBROOK.**

Read.

Senator Martin sent up the following amendment to the amendment by Senator Holbrook:

Amend pending amendment by adding the following:

Provided if it be made known to the State Relief Commission that any county cannot pay the administrative cost, same may be paid by the State Commission.

**MARTIN.**

Read.

Senator Holbrook moved to table the Martin amendment to the Holbrook amendment to S. B. No. 5.

Senator Poage called for second reading of the amendment.

The motion to table was lost by the following vote:

**Yeas—9.**

Blackert.	Oneal.
DeBerry.	Poage.
Holbrook.	Rawlings.
Moore.	Regan.
Murphy.	

**Nays—14.**

Beck.	Pace.
Collie.	Parr.
Cousins.	Redditt.
Duggan.	Sanderford.
Hornsby.	Stone.
Martin.	Woodruff.
Neal.	Woodul.

**Present—Not Voting.**

Small.

**Absent.**

Hopkins.

**Absent—Excused.**

Fellbaum.  
Greer.  
Patton.

Purl.  
Woodward.

The amendment by Senator Martin to the amendment by Senator Holbrook was adopted by the following vote:

**Yeas—15.**

Beck.	Parr.
Collie.	Redditt.
Cousins.	Sanderford.
Duggan.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Neal.	Woodul.
Pace.	

**Nays—9.**

Blackert.	Oneal.
DeBerry.	Poage.
Holbrook.	Rawlings.
Moore.	Regan.
Murphy.	

**Absent.**

Hopkins.

**Absent—Excused.**

Fellbaum.  
Greer.  
Patton.

Purl.  
Woodward.

Senator Holbrook moved to table his amendment as amended.

The motion to table prevailed by viva voce vote.

**Message From the House.**

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,  
Austin, Texas, Sept. 15, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 49, A bill to be entitled "An Act making an appropriation for the salary of either a special investigator, or an assistant district attorney for the Forty-ninth Judicial

District of Texas, said appropriation to be in lieu of that made by the Regular Session of the Forty-third Legislature for an assistant district attorney for said district; and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Bill Referred.

H. B. No. 49, referred to the Committee on Judicial Districts.

#### S. C. R. No. 11.

Senator Holbrook sent up the following resolution:

Whereas, Under the Bankhead Act, the Secretary of Agriculture is authorized to restrict and reduce the production of cotton in Texas and other states, and to apportion to the several cotton producing states the number of bales of cotton that shall be exempted from taxation which allotment shall be determined by the ratio of the average number of bales of cotton produced in each state during the five crop years 1928-29 to 1931-32 to the average number of bales of cotton produced in all states during the same period and, under the provisions of the Act, the President of the United States is permitted to enforce same for another year if he sees fit to do so; and,

Whereas, Under this allotment plan, Texas has been allotted only 3,237,530 bales, averaging 478 pounds net per bale, for the 1934-35 crop season, which is a reduction of 982,566 bales or 23.28 per cent under the actual production for the 1933-34 crop season; and,

Whereas, Fully 95 per cent or more of the total production of cotton in the State of Texas is sold and shipped to foreign markets in competition with cotton produced in foreign countries; and,

Whereas, Any reduction that is made in the production of cotton in the State of Texas is and will be offset by an increased production of cotton in Brazil, Egypt, Russia and other foreign cotton producing countries; and,

Whereas, It has been brought to our attention that two of the largest cotton firms in the United States have announced their intention to open offices in the South American

cotton producing countries for the express purpose of increasing the production of cotton in South American countries to meet their export requirements, because of the announced policy of the United States government to curtail and reduce the production of cotton in Texas and other states; and,

Whereas, Since the cotton producers in Texas are depending, almost entirely, upon the world markets for the sale of their cotton, and any reduction in the production of cotton in Texas will be offset by an increase in the production of cotton in foreign countries, the Texas producers will derive no benefit whatever from the Bankhead Act. On the contrary, any reduction in the production of cotton in Texas is bound to react to the detriment of not only the producers in this State, but also to the pickers, ginners, merchants, bankers, compresses, warehouses and others who buy, sell and handle this commodity in Texas, thus adversely affecting business generally in Texas; be it, therefore,

Resolved by the Senate, the House concurring, That we are opposed to the Bankhead Act and demand its repeal at the earliest possible date and especially urge and request that the members of Congress be requested to use their influence to bring about the repeal of the Bankhead Act at the earliest possible date, and urge the President of the United States to not exercise his right, under this Act, to enforce the same for another year; be it further

Resolved, That copies of this resolution be mailed to the President of these United States and to the Secretary of Agriculture, Henry T. Wallace, and to each of the United States Senators and members of Congress from Texas.

HOLBROOK.

S. C. R. No. 11 was read and referred to the Committee on Agriculture.

#### Presentation.

Senator Poage, on behalf of the pages and employees of the Senate and other friends, presented Governor Witt with a new fall hat. Governor Witt made a brief speech of appreciation.

**House Bill No. 1.****Motion to Reconsider.**

Senator Pace moved to reconsider the vote by which the Holbrook amendment, as amended, was tabled. Pending.

**Recess.**

On motion of Senator Collie, the Senate recessed until 2:00 o'clock p. m.

**After Recess.**

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was called to order by the Lieutenant Governor, Edgar E. Witt.

**House Bill No. 1.**

The Chair announced that pending business was the motion by Senator Pace to reconsider the vote by which the amendment, as amended, was tabled.

The motion to reconsider prevailed by the following vote:

**Yeas—14.**

Beck.	Pace.
DeBerry.	Parr.
Hopkins.	Rawlings.
Hornsby.	Redditt.
Martin.	Regan.
Murphy.	Sanderford.
Neal.	Woodruff.

**Nays—7.**

Blackert.	Oneal.
Collie.	Poage.
Duggan.	Small.
Holbrook.	

**Absent.**

Cousins.	Stone.
Moore.	Woodul.
Patton.	Woodward.

**Absent—Excused.**

Fellbaum.	Purl.
Greer.	

Senator Holbrook moved to table the amendment by Senator Martin to the amendment by Senator Holbrook.

The motion to table was lost by the following vote:

**Yeas—6.**

Blackert.	Holbrook.
Collie.	Oneal.
Duggan.	Poage.

**Nays—16.**

Beck.	Rawlings.
DeBerry.	Redditt.
Hornsby.	Regan.
Martin.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Pace.	Woodruff.
Parr.	Woodul.

**Absent.**

Cousins.	Moore.
Hopkins.	Patton.

**Absent—Excused.**

Fellbaum.	Purl.
Greer.	Woodward.

Senator Rawlings sent up the following amendment to the amendment by Senator Holbrook:

Amend the Holbrook amendment by striking out the Martin amendment and inserting in lieu thereof the following:

Provided, if it be established by facts, verified by oath to the satisfaction of the State Relief Commission, that any county cannot pay all of such administrative costs, the same or a part thereof may be paid by the State Commission within the discretion of said commission.

**RAWLINGS.**

Read and adopted by viva voce vote.

The amendment by Senator Holbrook, as amended by Senator Rawling, was adopted by the following vote:

**Yeas—15.**

DeBerry.	Rawlings.
Holbrook.	Redditt.
Hornsby.	Regan.
Martin.	Small.
Moore.	Stone.
Neal.	Woodruff.
Pace.	Woodul.
Parr.	

**Nays—8.**

Beck.	Murphy.
Blackert.	Oneal.
Collie.	Poage.
Duggan.	Sanderford.

**Absent.**

Cousins.	Hopkins.
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**Absent--Excused.**

Fellbaum.	Purl.
Greer.	Woodward.
Patton.	

Senator Woodruff sent up the following amendment:

Amend H. B. No. 1, as amended, by adding a new section as follows:

"Section 21a. The Texas Relief Commission are hereby directed to employ in the State and county administrative offices only those persons who, but for such employment, would be subjects of relief. Provided, however, that for those services highly technical in character the Texas Relief Commission is hereby authorized to waive the foregoing requirement in the selection of personnel for such employment.

**WOODRUFF.**

Read and adopted.

Senator Beck asked to amend the caption to conform to the body of the bill.

The bill, as amended, was read second time and passed to third reading.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1 was put on its third reading and final passage by the following vote:

**Yeas—24.**

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
DeBerry.	Poage.
Duggan.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.

**Absent—Excused.**

Cousins.	Patton.
Fellbaum.	Purl.
Greer.	Woodward.

Read third time and finally passed by the following vote:

**Yeas—23.**

Beck.	Collie.
Blackert.	DeBerry.

Duggan.	Poage.
Holbrook.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.
Martin.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodul.
Parr.	

**Absent—Excused.**

Cousins.	Patton.
Fellbaum.	Woodward.
Greer.	

**(Pair Recorded.)**

Senator Moore (present) who would vote nay, with Senator Purl (absent) who would vote yea.

**Special Order.**

Senator Hornsby asked unanimous consent to set for special order S. B. No. 3, after the morning call, next Monday.

Unanimous consent was granted.

**Adjournment.**

Senator Poage, at 3:15 o'clock p. m., moved that the Senate adjourn until 10:00 o'clock Monday morning. The motion prevailed.

**APPENDIX.****Petitions and Memorials.****TEXAS RELIEF COMMISSION.**

Dallas, Texas, Sept. 14, 1934.

Hon. Cecil Murphy,  
Senate Chamber,  
Austin, Texas.

My dear Senator:

I had thought I might see you in Austin last Monday where I was called by the Governor to attend a meeting of the Texas Relief Commission, but which meeting failed for lack of quorum. I wanted to express my regret in not being able to comply with your summons to appear before your committee and testify to any matters within my knowledge concerning the work of the commission.

I might say to you that I think most of the controversies arising in that commission were largely due to the fact that four old commissioners from the old body were left on and

they had a sort of pride of parentage in the commission. I think the old commissioners, somewhat unconsciously, resented assertiveness on the part of the new members. The commission had been in the habit of holding executive commission meetings, a practice which the new commission members were unwilling to follow except when the subject-matter should be announced publicly before going into an executive commission meeting, and then on a two-thirds vote. I think no one could lay a specific reason for the friction and I mention this as an element not mentioned by those testifying or that was called to my attention.

You and many of your associates know that I was never anxious for this job. It was wholly unsolicited. It takes a great deal of my attention and time. I have devoted unstintedly of my time to the work simply because it was put on me. Now, having said this, I want to say that if the Legislature can find a suitable means or rearrangement of the work we are doing and thus relieve me

from this work I shall rise up and call you and your associates blessed.

With very kindest personal regards, I remain,

Sincerely yours,

MNC:FW M. N. CHRESTMAN.

Senate Chamber,

Austin, Texas, Sept. 14, 1934.

To the Senate:

I greatly regret being unable to be present during the pendency of H. B. No. 1 before the Senate. I wish to have it known that I favor the bill as amended to read "Five Million Dollars" instead of "Nine Million Five Hundred Thousand Dollars," and as amended so that the selling and/or expenditure cannot exceed One Million Dollars in the month of November, 1934, One Million Five Hundred Thousand Dollars in the month of December, 1934, and One Million Five Hundred Thousand Dollars in the month of January, 1935.

Were I able to be present, my vote in regard to H. B. No. 1 as amended by the Senate would be "aye."

Respectfully,

ERNEST FELLBAUM.

**In Memory**  
**of**  
**Senator W. E. Doyle**

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**SENATE RESOLUTION NO. 10.**

WHEREAS, On the 9th day of the present month death, with its relentless dart, took from this earth the fine spirit of former Senator W. E. Doyle of Teague, Texas, who served with distinction during the 37th and 38th Legislature; and

WHEREAS, Senator Doyle was the last Confederate soldier to serve in this body his passing lends an added significance to the fact that while the heroes who wore the grey have practically journeyed hence, the fine spirit which they bore here will never die. Senator Doyle was for eighteen years Mayor of the town of Mexia, and for some time served in a like capacity in the town of Teague, Texas, where he died. He always took a marked interest in public affairs and was an outstanding citizen in his community and in the State. His twin brother, J. H. Doyle, who resided at Grandbury, Texas, died about a year ago. There was a likeness both in their physical and spiritual nature. Each of them bore proud and upright bodies and each of them was imbued with a religious and patriotic nature which could be emulated with profit by any citizen of the land.

It was my pleasure to serve with Senator Doyle in the 38th Legislature and to correspond intermittently with him from time to time. His sparkling soul was always young and ever interested in the public good. At the age of fourteen years he and his twin brother ran away from home to join the Confederate forces and were admitted as members of the Northern Army of Virginia.

On Tuesday of this week his mortal remains were laid to rest at Mexia, his former home. He was buried in his Confederate uniform and the Confederate flag was draped about the casket. This was a fitting end to a distinguished former member of this body, a fine soldier of the lost cause, and a great citizen of Texas; "On fame's eternal camping ground his silent tent is spread, where glory guards with solemn round the bivouac of the dead."

BE IT RESOLVED, That this testimonial of our affection to the memory of Senator Doyle be printed in the Journal as a mark of respect, and that a copy of same be mailed to each member of his family.

**HOLBROOK,  
HORNSBY.**

Read and unanimously adopted by a rising vote.